

REMARKS

Claims 1-21 are pending in the application.

Claims 1-21 stand rejected.

Claims 1, 5, 7-9, 11, 13, 17, and 20-21 have been amended.

Drawings

A Submission of Formal Drawings is being submitted concurrently with this Response to the Office Action.

Rejection of Claims under 35 U.S.C. § 102

Claims 1-21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,896,530, issued to John W. White ("White"). Applicants respectfully traverse this rejection.

The Office Action relies on White in rejecting each of Claims 1-21. While not conceding that White is prior art, but instead to expedite prosecution, Applicants have chosen to traverse-in-part and, in part, overcome the Examiner's rejection by amendments that more clearly distinguish the claims over White. Applicants' amendments are made without prejudice to Applicants' right to establish, for example in a continuing application, that White is not prior to an invention now or hereafter claimed.

Independent Claim 1: Applicants respectfully submit that White does not disclose each limitation of independent Claim 1, as amended, and therefore White cannot anticipate that claim or any claims that depend on Claim 1 (Claims 2-16). In the below discussion, Applicants further respond to the positions expressed in the Office Action.

Claim 1 has been amended to clarify that configuring a DCE in each of the claimed phases involves allocating a subnet, allocating a computing device coupled to the subnet, allocating a storage device coupled to the computing device, and storing a set of instructions on the storage device. Applicants respectfully submit that the cited sections of White provide no disclosure for the allocation of resources such as those claimed, nor do the cited sections of White provide disclosure of a distributed computing environment (“DCE”) such as that claimed and disclosed in the present Application.

White purportedly provides disclosure related to “enabling a plurality of computers ... to cooperatively process applications.” White 3:42-44. White accomplishes this through a “Distributed Applications Architecture,” which is disclosed to be installed on a computing platform in order to allow DAA-generated applications to be processed on that platform. *See* White 4:30-39. The DAA is further disclosed to orchestrate its function through communication channels and a database management system. *See* White 4:40-58. The sections of White cited by the Office Action, together with the above-cited sections, indicate that White assumes an already configured, and includes no provision for allocating a subnet, a computing device, and a storage device.

For at least the above reasons, Applicants respectfully submit that Claim 1, as amended, and all claims dependent thereon (Claims 2-16) are in condition for allowance and request Examiner’s indication of same.

Independent Claims 17 and 21: Applicants respectfully submit that White does not disclose each limitation of independent Claims 17 and 21, as amended, and therefore White cannot anticipate those claims or any claims that depend on Claims 17 and 21 (Claims 18-19). In the below discussion, Applicants further respond to the positions expressed in the Office Action.

Claims 17 and 21 have been amended to clarify a DCE is commanded to allocate resources including a subnet, a computing device, a storage device and software in each phase of a software lifecycle. Claims 17 and 21 have also been amended to clarify certain tasks in the method step of configuring. Applicants respectfully submit that the cited sections of White provide no disclosure for the allocation and configuration of resources such as those claimed, nor do the cited sections of White provide disclosure of a distributed computing environment (“DCE”) such as that claimed and disclosed in the present Application.

Applicants incorporate their discussion related to Claim 1 above in support of Applicants’ position regarding the disclosure of White as it pertains to amended Claims 17 and 21. Applicants further respectfully submit that the cited computer medium claims do not provide disclosure of the limitations of Claims 17 and 21, as amended.

For at least the above reasons, Applicants respectfully submit that Claims 17 and 21, as amended, and all claims dependent thereon (Claims 18-19) are in condition for allowance and request Examiner’s indication of same.

Independent Claim 20: Applicants respectfully submit that White does not disclose each limitation of independent Claim 20, as amended, and therefore White cannot anticipate that claim or any claims that depend on Claim 20. In the below discussion, Applicants further respond to the positions expressed in the Office Action.

Claim 20 has been amended to clarify that the DCE comprises a virtual subnet and a plurality of virtual computing devices. Claim 20 has been further amended to clarify that instructions for configuring the DCE include instructions for allocating a network resource to the virtual subnet, allocating a computing device to the virtual computing devices, and allocating a storage device to the virtual storage devices, along with coupling the various devices. Applicants

respectfully submit that the cited sections of White provide no disclosure of virtual subnets or virtual computing devices, nor, as discussed above with regard to Claims 1, 17, and 21, disclosure for configuration as claimed.

For at least the above reasons, Applicants respectfully submit that Claim 20, as amended, is in condition for allowance and request Examiner's indication of same.

Dependent Claims 5, 7-9, and 11-12: Dependent Claims 5, 7-9, and 11-12 have been amended (a) to provide consistency with independent Claim 1, as amended, and (b) to further clarify distinctions between these dependent claims and the cited disclosure of White. While Applicants have asserted above that the amendments to Claim 1 distinguish both that independent claim and these dependent claims from the cited sections of White, Applicants provide further response to certain positions expressed in the Office Action with regard to the following claims.

Claim 5 has been amended to clarify steps carried out during the claimed integration phase. The cited section of White in the Office Action refers to the interrelation between different processors running different tasks of the same application, and not the steps of executing and monitoring as provided in the amended Claim 5.

Claim 7 has been amended to clarify that in the case of an error in a testing phase, the configured DCE is re-provisioned to a clean environment. The cited section of White in the Office Action makes no mention of re-provisioning or providing a clean environment in the event of an error.

Claims 8 and 9 have been amended to clarify a nature of beta testing involving multiple users. The cited section of White refers to "enabling applications to be tested as a large

integrated application set before deployment,” and does not make any reference to multiple users using a DCE and having each user perform tasks such as installation.

For at least the above reasons and those expressed with regard to independent Claim 1, Applicants respectfully submit that Claims 5, 7-9, and 11-12, as amended, and all claims dependent thereon are in condition for allowance and request Examiner’s indication of same.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 30, 2005.

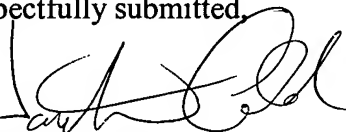


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3/30/2005

Date of Signature

Respectfully submitted,



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AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings includes changes to Figures 1-7 as requested in the Office Action. These sheets replace the original sheets including Figures 1-7. Figures 1-7 have been amended to correct the defects indicated by the Examiner in the Office Action.

Attachment: Replacement Sheets